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SLOW DAY IN COURT

Two Legislators Have Become Lawyers.

PODMORE EXCUSED FROM THE JURY

Federal Jurist After Being Excused Quickly Sought Naturalization.

The case of the Territory vs. Okachi was argued yesterday afternoon before the second judge of the First Circuit Court. The Japanese was charged with assault and battery with a weapon imminently dangerous to life.

J. W. Cathcart, Deputy Attorney, assisted by Andrews, Peters and Andrade prosecuted the case, and F. M. Brooks appeared for the defendant.

The jurors were as follows: Joseph Lightfoot, Thos. R. Mossman, Fred. B. Damon, Isaac Adams, Chas. Bon, Fred. W. Weed, Albert Trask, Arthur Coyne, Milus W. Parkhurst, James J. McDonald, Joseph H. Lichtig and Fred S. Lyman, Jr.

After being out a half hour the jury returned a verdict of not guilty.

COURT NOTES.

The defendant in the case of Honolulu Stock-yards Company, Limited, vs. W. C. Achil has filed a demurrer, through his attorneys, Achil, Johnson and D. H. Ka-haula, to plaintiff's complaint on the ground that said complaint was not accompanied with a bill of particulars according to the rules of court in such cases made and provided.

In the action for damages brought by David Kaeli-pono vs. K. L. Kaeli, the defendant, by his attorneys, Andrews, Peters and Andrade, yesterday filed an answer to plaintiff's complaint, denying each and every allegation contained in such complaint and demanding dismissal with costs.

SUMMONS RETURNED.

Return of summons was yesterday made as follows:

In the case of Joseph D. Atherton vs. Wahiawa Sugar Company, showing service upon the defendant through its president, D. A. Nichols.

In re Honolulu Stock-yards Company, Limited, vs. W. C. Achil, showing service upon the defendant.

In the case of the Territory vs. Okachi, wherein subpoenas were issued for Yaas, Murato and Nishimura, showing service upon Yaas and Murato, and that due and diligent search resulted in failure to find Nishimura.

In re Lai Young vs. Sophie Kohuole Wiley et al., showing service upon the defendants Sophie Kohuole Wiley and Chun Kin Fong.

In the case of L. Ah Pau vs. Wong Kwal and Wong Hong Yuen, showing service upon defendants Wong Kwal and Wong Hong Yuen.

PROBATE.

Enoch Johnson, administrator for the estate of S. Kaiakoli, deceased, yesterday filed an inventory of said estate, showing an entry of money received from J. A. Maroon, the amount being \$245.50, less a deduction of \$38, paid to said administrator by the order of the deceased, and not entered in the pass book of the deceased.

The final accounts of Lawrence H. Dee, as administrator in the estate of J. C. Rierdon, together with petition for allowance, final distribution and discharge, were filed yesterday, the administrator charging himself with \$2,238.80 and asking to be allowed \$1,357.15, leaving a balance to the credit of the estate of \$881.65.

An order of court was issued appointing Friday, May 31, at 10 o'clock a. m., as the time for the hearing of such petition and accounts.

ADMITTED TO THE BAR.

Henry Mose Kaniho, a native of Hawaii, aged 35 years, yesterday filed a petition in the First Circuit Court praying for an examination upon his qualifications to practice law, and if found qualified that he may be licensed to practice law in the District Courts of the Territory, and before the Circuit Judges at chambers on appeal.

Robert Puuki, a native of Hawaii aged 33, filed a like petition.

Both were examined and admitted, and upon taking the oath licenses were issued to them.

Both Kaniho and Puuki are members of the Legislature, the former having acquired considerable fame as a contrary voter upon every motion and measure before the House.

PODMORE EXCUSED FROM GRAND JURY.

Judge Esteé yesterday excused J. H. Podmore from further service on the Federal Grand Jury for the rest of the term, it appearing that his citizenship was doubtful. The question of this juror's citizenship was the point raised in the pleas of abatement filed by the defendants previously made by the Grand Jury, and before the Circuit Judges at chambers on appeal.

In his opinion on the case, United States Attorney Baird cited instances where it was held that Grand Jurors were not illegally organized even though half of the jurors were discovered to be non-citizens, where such jurors and the Court were ignorant of a fact. Upon these citations it was held that the defendants previously made by the Grand Jury were not invalidated, but Juror Podmore was yesterday excused from further service, the jury being thus reduced to twenty-three.

Immediately after being excused Podmore applied to the United States District Court for naturalization, and was vested with citizenship by process of the Court. He is a native of England. W. C. Weedon and A. F. Cooke were witnesses for the applicant.

ACCIDENTS WILL HAPPEN.

Man wasn't made to suffer, but accidents will happen, and to meet such cases, Nature designed the roots, herbs, gums and leaves for the healing of the nation. Nature's way to treat a cut, burn, a burn is to cleanse, draw and heal, and that's the way Kikapoo Indian Salve acts—just as Nature acts. It acts that way, because it is Nature's own remedy, compounded from materials gathered in Nature's infallible laboratory; unadulterated, pure and simple. The same

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THE DETAINED WITNESSES.

They are Better Off Than They Would be Aboard Ship.

It is not believed that United States witnesses held in Oahu prison for the trial of principals in shipping cases are so much dissatisfied with their lot as certain reports make them out to be. When these witnesses get \$1 a day for every day they are detained, and are fed and given jail quarters at the expense of the Federal government, they are receiving more than they would if they were aboard ship. The only unpleasant circumstance about it is that the men are not allowed their liberty.

When Examiner Moyer left Honolulu for Washington he carried with him bids for the care of witnesses for the United States Courts, which were that each one would be fed, guarded and held in the prison at the rate of \$1 a day. Word has just come back from Washington that the Department of Justice believes the \$1 rate too high and suggests fifty cents a day instead. At this rate the taxpayers of the Territory would be losers, and any scheme to supply witnesses with better fare than they are now receiving, or "hotel" fare, as has been suggested, will be out of the question. For each addition to the ration those who support the Territorial Government will feel the drain upon their pockets.

LARRY DEE WANTS AN ACCOUNTING

Sues His Partner Tom King for Moneys in the West Disinfecting Company.

Lawrence H. Dee has brought suit in the Circuit Court against Tom J. King for certain amounts alleged to be due by the latter in connection with the organization of the West Disinfecting Company. Dee states that on July 18, 1898, plaintiff and defendant entered into a co-partnership for the purpose of purchasing from one J. C. Rierdon, for the sum of \$5,000, the agency of the West Disinfecting Company in the Hawaiian Islands, for the sale of disinfecting machines of the said company, and the fluids and other substances used therein, for the unexpired term of eight years, and for the purpose of carrying on of the business of the agency after the purchase thereof, plaintiff agreeing to bring into the said partnership \$1,250 to purchase a one-fourth interest therein and to receive a one-fourth share of the profits of said business, the defendant agreeing to bring into said partnership \$3,750 to purchase a three-fourths interest in said business and to receive a three-quarter share of the profits of said agency.

Plaintiff accordingly bought into said business said sum of \$1,250, and he and defendant accordingly bought into the company for \$3,750 and said agency was on July 18, 1898, purchased by said Lawrence H. Dee and T. J. King, co-partners, for the said sum of \$5,000, and the co-partners have been engaged in the business since that date.

The plaintiff further shows that the defendant has been and is now running said business without regard to the wishes of plaintiff and since the last mentioned date has refused and still refuses to consult or advise with plaintiff in running and managing said business and still refuses to recognize plaintiff in any manner as a partner in said business. He alleges the said business properly handled would produce large gains and profits. Dee states he is informed and believes, and upon such information and belief alleges, that through the gross neglect and mismanagement of said business, large profits which would have been realized therefrom, have, by neglect and mismanagement not been realized.

Dee further shows that no settlement of said co-partnership accounts and business has ever been made between plaintiff and defendant, although plaintiff has frequently requested defendant for a settlement of same, as in justice and equity he ought to do.

It is further alleged by Dee that the defendant has possessed himself of the co-partnership books and has refused and still refuses to permit plaintiff to inspect the same, and has refused and still refuses to render plaintiff any account of the partnership moneys received by him. It is also further shown that upon a just and true settlement of the account as it will appear that a considerable balance is due from said defendant to plaintiff in respect to said co-partnership business, but nevertheless said defendant is proceeding to collect in the said partnership debts and apply them to his own use, which plaintiff is unable to do because of the fact that the said partnership books are in the hands of defendant.

Dee says he has no plain, adequate and complete remedy at law for the reason that the sums collected by defendant since July 18, 1898, up to the present time are unknown to plaintiff and can be ascertained only upon an accounting being had.

Wherefore plaintiff prays that an accounting be taken of all and every co-partnership dealings and transactions and that the said defendant, T. J. King, may be directed to pay to the plaintiff, what, if anything, shall upon said accounting appear to be due to him, said plaintiff being willing and hereby offering to pay to T. J. King what, if anything, shall appear to be due from him to said King, and for such other and further relief as to the Court shall seem meet and proper in the premises.

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